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3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

5 ROBERT CARTER,

6 Plaintiff,

7 v.

8 SCOTT RUSSELL, et al.,

9 Defendants.

CASE NO. C11-5484BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

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11 This matter comes before the Court on the Report and Recommendation ("R&R")
12 of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 15. The
13 Court having considered the R&R and the remaining record, and no objections having
14 been filed, does hereby find and order as follows:

- 15 (1) The R&R is **ADOPTED**; and
16 (2) Defendants Scott Russell and Eldon Vail's motion to dismiss for failure to
17 state a claim upon which relief can be granted and motion to stay discovery are
18 **GRANTED**.

19 Dated this 2nd day of December, 2011.

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22 BENJAMIN H. SETTLE
United States District Judge